

REMARKS

Claims 1-31 are pending in this application. Claims 23-27 and 31 are withdrawn from consideration. By this Amendment, claims 1-3, 12, 13, 28, and 30 are amended.

Reconsideration of the application is respectfully requested.

Entry of the amendments is proper under 37 CFR § 1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; and (c) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Claims Define Patentable Subject Matter

A. Claims 1-22 and 28-30 recite Patent Eligible Subject Matter

The Office Action rejects claims 1-3 under 35 U.S.C. § 101 because the recited limitations of claims 1-3 include "no physical structure of the machine in terms of its hardware or hardware and software combination" (Office Action, pg. 4, ¶ 1). Claims 1-3 have been amended to overcome the rejection. Accordingly, withdrawal of the § 101 rejection of claims 1-3 is respectfully requested.

Next, the Office Action rejects claims 1-22 and 28-30 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Office Action alleges that the claim limitations of independent claims 1-3, 12, 13, 28, and 30 do not provide any tangible results and real world application (Office Action, pg. 4, ¶ 2). Independent claims 1-3, 12, 13, 28, and 30 have been amended to overcome the rejection. Claims 4-11, 14-22, and 29 depend from claims

1-3, 12, 13, 28, and 30. Accordingly, withdrawal of the § 101 rejection of claims 1-22 and 28-30 is respectfully requested.

B. Claims 1-22 and 28-30 are Patentable Over Cited Prior Art

The Office Action rejects claims 1-22 and 28-30 under 35 U.S.C. § 102(e) as being anticipated by Bakker et al. (U.S. Patent No. 6,999,614; hereinafter *Bakker*). Applicant respectfully traverses this rejection.

Specifically, Applicant asserts that *Bakker* does not disclose or suggest an electronic information management system for classification and retrieval of documents including at least image feature extracting means for extracting a feature of an image based on an instruction from a client, the feature associated with electronic information stored in storing means connected to a network, and deciding means for deciding whether the electronic information is to be deleted based on the feature extracted by the image feature extracting means and on a condition specified by the client, as recited in independent claims 1-3 and similarly recited in independent claims 12, 13, 28, and 30.

In contrast, *Bakker* discloses an assisted automatic supervised classifier creation tool that views image defects organized by groupings based on features of the images and uses stored classes and feature vectors of the images to automatically classify images (*Bakker*, Abstract; col. 5, lines 17-31). When a user trains a classifier 104 of the creation tool, the user can add and delete classes (*Bakker*, col. 7, lines 59-60). The user can also improve a training set 902 with which to train the classifier by adding, deleting, or reclassifying images (*Bakker*, col. 8, lines 3-6).

Further, the user in *Bakker* can set filtering criteria on the images to remove certain groups, images, and types of images from the feature extraction process (*Bakker*, col. 8, lines 25-27). Thus, the user can set the filtering criteria to filter out select images or groups of

images from consideration by the classifier. *Bakker's* classifier, however, does not decide whether the electronic information is to be deleted based on extracted image features and on a condition specified by the user.

Accordingly, Applicant respectfully asserts that *Bakker* does not disclose or suggest an electronic information management system including at least deciding means for deciding whether the electronic information is to be deleted based on the feature extracted by the image feature extracting means and on a condition specified by the client, as recited in independent claims 1-3 and similarly recited in independent claims 12, 13, 28, and 30.

In accordance with the above remarks, Applicant submits that the above-mentioned independent claims, and their dependent claims, are patentable over cited prior art. Thus, Applicant respectfully requests that the Examiner withdraw the § 102(e) rejection of claims 1-22 and 28-30.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-22 and 28-30 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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